

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

&

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

WP(C).No. 6457 of 2007(S)

OA.704/2004 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH
.....

PETITIONER:

1. SUPERINTENDENT OF POST OFFICES
TRIVANDRUM SOUTH DIVISION,
TRIVANDRUM-14.
2. THE CHIEF POSTMASTER GENERAL
KERALA CIRCLE, TRIVANDRUM-33.
3. UNION OF INDIA REPRESENTED BY ITGS
SECRETARY, GOVERNMENT OF INDIA, MINISTRY OF
COMMUNICATIONS, DEPARTMENT OF POSTS,
NEW DELHI

BY ADV. SRI.A.SUDHI VASUDEVAN, ADDL.CGSC

RESPONDENTS:

1. PRAKASAN, AGED 46 YEARS, S/O.ACHUTAN,
GDS BPM PUTHUKULANGARA, NESDUMANGAD
RESIDING AT:KANIYANVILAKATHU VEEDU,
PARUTHIKUZHI P.O., NEDUMANGAD,
TRIVANDRUM DISTRICT.
2. CENTRAL ADMINISTRATIVE TRIBUNAL
REPRESENTED BY ITS ADMINISTRATIVE MEMBER
AND JUDICIAL MEMBER, ERNAKULAM, KOCHI.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

J.B. Koshy & T.R. Ramachandran Nair, JJ.

W.P.(C).NO.6457 of 2007-S

Dated this the 1st day of March, 2007

JUDGMENT

Koshy, J.

The first respondent in this case was given two increments while he was working as an Extra Departmental Delivery Agent (EDDA). He was promoted/appointed as Extra Departmental Branch Postmaster. But he was denied the benefit of two increments which he was earlier drawing. The Central Administrative Tribunal after considering the contentions, found that there is no reason to deny the increments he was already drawing when he was appointed as the Postmaster and therefore pay should be protected.

2. We are of the view that the Tribunal has considered the entire aspects of the matter while ordering pay protection and there is no patent illegality or perverse finding in Ext.P3 order of the Tribunal. Therefore, this is not a case where interference under Article 227 of the Constitution of India is required. The writ petition is dismissed.

(J.B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

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